

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO. : 5,375,495  
DATED : December 27, 1994  
INVENTOR(S) : BOSTEN ET AL.

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In column 5, line 18, delete "an upper" after the word "by".  
In column 5, line 19, delete "an" after the word "and".  
In column 5, line 19, insert -74- after the word "stop".  
In column 6, line 14, insert -72, 74- after the word "stops".

Signed and Sealed this  
Twelfth Day of September, 1995

Attest:



BRUCE LEHMAN

Attesting Officer

Commissioner of Patents and Trademarks

C

**SUITER · WEST PC LLO**  
PATENTS, TRADEMARKS, COPYRIGHTS AND TECHNOLOGY MATTERS  
14301 FNB PARKWAY, SUITE 220  
OMAHA, NEBRASKA 68154-5299

PATENT ATTORNEYS  
SEAN PATRICK SUITER  
KEVIN E. WEST  
CHAD W. SWANTZ  
NATHAN T. GREBASCH  
R. CHRISTOPHER RUEPPELL†  
PENG ZHU, PH.D.\*  
SUNAH LEE\*

HTTP://WWW.SUITER.COM  
TELECOPIER: 402.496.0333  
TELEPHONE: 402.496.0300

BEIJING, CHINA  
TIAN LEI\*

OF COUNSEL  
JOHN H. SHERMAN†

TRADEMARKS  
MICHAEL G. BURNETT

†REGISTERED IN CALIFORNIA  
\*REGISTERED IN NEW YORK  
†REGISTERED IN IOWA AND ILLINOIS  
\*QUALIFIED IN CHINA ONLY

**Via Federal Express**

August 19, 2004

President  
Rexon Co. Ltd.  
No. 261 Jen hwa Road,  
Tali, Taichung 412  
Taiwan, R.O.C.

RE: ***Infringement of United States Patents 5,285,708 and 5,375,495 by Rexon Co. Ltd.***

Dear Mr. President:

We represent Porter-Cable Corporation, the owner of United States Patents 5,285,708 and 5,375,495. United States Patent 5,285,708 (hereinafter "the '708 patent") and United States Patent 5,375,495 (hereinafter "the '495 patent") relate to power tools with an optical system for projecting an alignment marker to a workpiece. A copy of each patent is enclosed. You may recall receiving copies of these patents in our correspondence of February 19, 2004.

Laser compound miter saws are currently being retailed and sold in the United States under the brand Craftsman®, having model number 137.212540, which violate the rights granted to Porter-Cable Corporation under the '708 patent and the '495 patent by the patent laws of the United States. Our review has led us to believe that these compound miter saws are manufactured by Rexon Co. Ltd.

Accordingly, unless you can rectify this situation, we hereby demand, on behalf of our client, that Rexon Co. Ltd.:

- (1) Immediately cease and desist all unauthorized and infringing manufacture of compound miter saws having model number 137.212540 sold under the brand Craftsman®, or any compound miter saw or apparatus equivalent thereto employing Porter-Cable Corporation's patented technology.
- (2) Immediately cancel all sales or agreements to sell the described infringing compound miter saws or any equivalent product, and that any inventory of the products held by or on behalf of Rexon Co. Ltd. or its affiliated companies, or by its distributors, whether or not the subject of a consummated sale, be rendered non-infringing in a way that is to our client's satisfaction.

SUITER • WEST PC LLO

President of Rexon Co. Ltd.

August 12, 2004

Page 2

- (3) Furnish us with true and detailed statements showing the number of infringing units which have been manufactured, imported or sold in the United States, and the gross receipts with respect thereto.
- (4) Identify any Rexon Co. Ltd. products equivalent to the products identified above.
- (5) Identify Rexon Co. Ltd. affiliated companies, if any, so that we may ensure their compliance with these requests.
- (6) Identify the manufacturer of the Rexon Co. Ltd. products identified above and any equivalent products.

In light of the longstanding relationship between Rexon Co. Ltd. and our client, it is our hope to reach a mutually agreeable resolution to this matter. To that end we ask that you signify your company's intention to fully comply with our requests by executing the acknowledgement below and returning it to me within ten (10) days from your receipt of this letter.

This letter is written without prejudice to any and all legal rights and remedies our client has under the United States patent laws and otherwise, the same all being hereby expressly reserved on its behalf.

Very truly yours,  
SUITER • WEST PC LLO



Sean Patrick Suiter  
For the Firm

**ACKNOWLEDGED AND AGREED TO:**  
**Rexon Co. Ltd.**

By: \_\_\_\_\_



AUG 20 2004

**SUITER • WEST PC LLO**  
PATENTS, TRADEMARKS, COPYRIGHTS AND TECHNOLOGY MATTERS  
14301 FNB PARKWAY, SUITE 220  
OMAHA, NEBRASKA 68154-5299

BEIJING, CHINA  
TIAN LEI\*

OF COUNSEL  
JOHN H. SHERMAN†

PATENT ATTORNEYS  
SEAN PATRICK SUITER  
KEVIN E. WEST  
CHAD W. SWANTZ  
NATHAN T. GREBASCH  
R. CHRISTOPHER RUEPPELL†  
PENG ZHU, PH.D.†  
SUNAH LEE\*

HTTP://WWW.SUITER.COM  
TELECOPIER: 402.496.0333  
TELEPHONE: 402.496.0300

TRADEMARKS  
MICHAEL G. BURNETT

†REGISTERED IN CALIFORNIA  
\*REGISTERED IN NEW YORK  
‡REGISTERED IN IOWA AND ILLINOIS  
\*QUALIFIED IN CHINA ONLY

**Via Federal Express**

August 19, 2004

*By: [Signature]*  
Andrea L. Zopp, Esq.  
Senior Vice President and General Counsel  
SEARS ROEBUCK & CO.  
3333 Beverly Road  
Hoffman Estates, IL 60179

**RE: Supplier Activities Infringing United States Patents**

Dear Ms. Zopp:

We represent DeVilbiss Air Power Company and Porter-Cable Corporation in Intellectual Property matters. Both of these companies have had a long and successful relationship as a major supplier to Sears. They want that relationship to continue and prosper.

The intent of this letter is to inform you that Sears is currently selling at least three products that, based upon our review, violate patents owned by DeVilbiss Air Power Company and Porter-Cable Corporation. I am sure you would agree that the manufacture and sale of these products is in violation of 35 U.S.C. § 271.

The products in question are a Sears Companion air compressor, model 915350; a Craftsman circular saw with LaserTrac, model 10860; and a Craftsman miter saw with Dual View LaserTrac, model 21254. Please be advised that we are defending our clients' intellectual property rights, and accordingly, have notified the manufacturers of these products, asking them to correct this matter.

Please contact us if you would like more specific information. Thank you.

Very truly yours,  
SUITER • WEST PC LLO

*[Signature]*

Sean Patrick Suiter  
For the Firm